

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Au *et al.*

Serial No. TBA

Filed herewith

For: **SCHEDULER WITH FAIRNESS CONTROL AND  
QUALITY OF SERVICE SUPPORT**

Commissioner for Patents  
Washington, D.C. 20231

CERTIFICATE OF EXPRESS MAIL

I HEREBY CERTIFY THAT THIS DOCUMENT IS  
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#2  
11050 U.S. PTO  
10/050091  
11/16/01

**INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant  
requests consideration of this Information Disclosure Statement.

The Applicant hereby makes of record in the above-identified application the information  
listed on the attached form PTO 1449 (modified). The order of presentation of the references  
should not be construed as an indication of the importance of the references.

It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other  
information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO 1449 be signed by the Examiner to evidence that the cited  
information has been fully considered by the Patent and Trademark Office during the  
examination of this application;
3. The citations for the information be printed on any patent which issues from this  
application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusions regarding the relevance of the cited information.

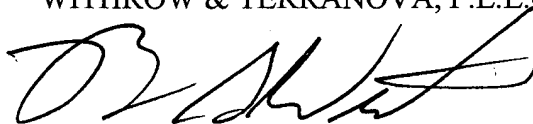
**The Director is hereby authorized to charge any fees that may be required, or credit any overpayment, to Deposit Account No. 50-1732.**

An early and favorable action is hereby requested.

Respectfully submitted,

WITHROW & TERRANOVA, P.L.L.C.

By:



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Date: November 16, 2001  
Docket No. 7000-107

FORM PTO-1449		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE			ATTY DKT NO. 7000-107		SERIAL NO. TBA	
		INFORMATION DISCLOSURE STATEMENT BY APPLICANT			APPLICANT Au et al.		GROUP TBA	
					FILING DATE November 16, 2001			

11050 U.S. PTO  
 10/050091  


U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CL.	SUBCL.	FILING DATE IF APPROP.

FOREIGN PATENT DOCUMENTS								
		DOCUMENT NO.	DATE	COUNTRY	CL.	SUBCL	TRANSLATION	
							YES	NO

OTHER DOCUMENTS (Incl. Author, Title, Date, Pertinent pages, etc.)		
	A	Bao, Gang, Oses, David Puig, and Holtzman, Jack, "Fairness Criteria for 1xEV-DV with More simulation Results," Qualcomm, Inc., January 24, 2001.
	B	Jalali, A., Padovani, R., and Pankaj, R., "Data Throughput of CDMA-HDR a High Efficiency-High Data Rate Personal Communication Wireless System," Proc. 2000 IEEE 51st Vehicular Technology Conference, 15-18 May 2000, Tokyo, Japan, pp. 1854-1858, ISBN 0-7803-5718-3
	C	Love, Robert, "Simulation Results with Regard to Fairness Criteria," Motorola, Inc., 2000.

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.